

Mayor  
Honorable Lori DeRemer



City Manager  
Jason A. Tuck, ICMA-CM

April 13, 2017

Chair Brian Clem  
House Committee on Agriculture and Natural Resources  
900 Court Street NE, Salem, OR 97301

**Re: Support HB 3245, Adopt -2 amendment**

Dear Chair Clem and members of the Committee,

On behalf of the City Council, I want to express our support for HB 3245-2 which would allow a governing body to authorize its planning commission or hearings officer to conduct hearings on applications for comprehensive plan map amendments. Like other cities, our prior practice had been to allow the Happy Valley Planning Commission to accommodate such hearings; however, a recent ruling by the Land Use Board of Appeals (LUBA) changed our procedure, requiring more time and resources to process certain development applications.

**LUBA's determination creates gross system inefficiencies**

In 2016, LUBA determined that a decision to amend a city's comprehensive plan map must be adopted by the city's governing body (*Housing Land Advocates v. City of Happy Valley*). That decision comes at the expense of applicants seeking more than one planning or building service. Often, an application to amend the City's comprehensive plan is accompanied by a development application from a property owner or prospective business. These development applications, due to their technical nature, are typically approved by the Planning Commission. As a result of the *Housing Land Advocates* decision, many of these applications must now be heard by multiple bodies before qualifying for approval. The redundancies of this process create additional bureaucracy, increases the time needed to approve applications and delays development.

**LUBA's determination is contrary to county land use processes**

Under ORS 215.431 county governing bodies are expressly authorized to allow planning commissions and hearing officers to make final decisions on some types of comprehensive plan amendments. This planning mechanism is not currently extended to cities. HB 3245 would offer partial parity, streamlining map amendment procedures to mirror those already in place for counties.

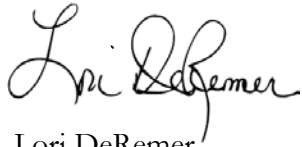
**HB 3245-2 restores system efficiency and creates land use parity**

Happy Valley strongly supports HB 3245 as sponsored by Chair Clem, Representatives Helm, Hack, Kennemer, Vial, Alonso Leon and Evans, and Senator Winters for the purpose of

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allowing a governing body to authorize its planning commission or hearings officer to conduct hearings on applications for certain comprehensive plan amendments and make decisions on such applications subject to the acknowledgement procedures set forth in ORS 197.610 to 197.625. Additionally, the City supports the -2 amendment, clarifying this discretionary ability only extends to map amendments and expressly allowing decisions of the planning commission or hearings officer to be appealed to the City Council. This bill provides a necessary clarification for unified map jurisdictions and streamlines a convoluted permit approval process. For these reasons, the City of Happy Valley urges the House Committee on Agriculture and Natural Resource to support HB 3245, inclusive of the -2 amendment, and issue a DO-PASS recommendation.

Sincerely,

A handwritten signature in black ink that reads "Lori DeRemer". The signature is written in a cursive, flowing style.

Lori DeRemer  
Mayor

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*Preserving and enhancing the safety, livability and character of our community*